

Appl. No. 10/027,719
Amdt. Dated July 14, 2003
Reply to Office Action of Apr. 29, 2003

REMARKS

Favorable reconsideration and allowance of the present application is respectfully requested.

Currently, claims 1-23 and 28-29, including independent claims 1, 10, 18, and 28, are pending the present application. In the recent Office Action, independent claim 18 was allowed. However, the rejection of independent claims 1, 10, and 28 was maintained.

In a recent telephonic interview (the substance of which is set forth herewith as Appendix A), the Examiner indicated that independent claim 28 was allowable in light of applicable case law holding that proper claim construction requires treating language in a process claim that recites the making or using of a nonobvious product as a material limitation. However, with respect to independent claims 1 and 10, the Examiner asserted that they do not limit the process to only produce the novel product.

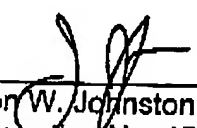
Without commenting on the propriety of the rejection of claims 1 and 10, Applicants have nonetheless amended such claims in accordance with the Examiner's suggestions in an attempt to further prosecution of the present application. As such, it is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Juska is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this response.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

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Respectfully requested,

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ATTORNEY DOCKET NO.: KCX-50-DIV(12731.1) **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Mleziva, et al.)	Examiner: Cheryl Juska
Serial No.: 10/027,719)	Art Unit: 1341
Filed: December 20, 2001)	Account No.: 04-1403
For: Crimped Multicomponent Filaments and Spunbond Webs Made Therefrom)	Confirm. No.: 2252

Commissioner for Patents
Alexandria, VA 22313-1450

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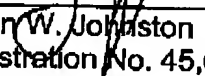
STATEMENT OF SUBSTANCE OF INTERVIEW

On July 2, 2003, Applicant's representative, Jason Johnston, conducted a telephonic interview with Examiner Cheryl Juska to discuss independent claims 1, 10, and 28. Applicant discussed the applicability of certain case law, namely *In re Pleuddemann*, 910 F.2d 823 (Fed. Cir. 1990); *In re Ochiai*, 71 F.3d 1565 (Fed. Cir. 1995); *In re Brower*, 77 F.3d 422 (Fed. Cir. 1996), to the rejection of these claims. After review of this case law and MPEP §2116.01, Examiner Juska indicated that claim 28 was allowable because it positively recites the patentable feature of the starting material as an active process claims, but that claims 1 and 10 do not limit the process so as only to produce the novel product.

While an agreement was not formally reached, Examiner Juska suggested that claims 1 and 10 might be amended in a manner to positively recite the discussed feature.

Respectfully requested,

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